

Remarks/Arguments:

The disclosure and drawings were objected to for various reasons. These objections are moot in light of the amendments contained herein. In the specification, the Abstract and paragraphs [0046] and [0143] have been amended to correct minor editorial problems. In figures 4 and 10, the objected to unreferenced elements have been removed. Also, the reference S348 was added to paragraph [0105] of the specification.

Claims 1, 2, 5-14, 21 and 22 remain in this application. Claims 3, 4, and 15-20 have been canceled. Claims 1, 2, 5, 7, 8, 9, 14, 21, and 22 were amended herein.

In the Office Action, claims 1-22 were rejected as being anticipated by *Dillon* (US6351467), or being unpatentable over *Dillon* in view of *Bott* (Special Edition Using Windows 95 with Internet Explorer 4.0, February 17, 1998, Que, Chapters 18 and 19). In response, the pending claims have been amended to more clearly distinguish the claimed invention from the cited references. It is believed the Office Action rejections of 1, 2, 5-14, 21 and 22 are overcome by the amendments contained herein.

The pending claims are directed to a data broadcast receiving apparatus includes a storage controlling unit and a reproduction controlling unit. The storage controlling unit-stores data modules among a plurality of data modules included in received broadcast data, into a module storing unit and also stores storage information for each of the plurality of data modules into a storage information storing unit, the storage information showing the presence or absence of the data module in the module storing unit, **a reason of the absence of the data module**, and the like. When the user selects a data module as a reproduction target, the reproduction controlling unit judges whether the data module is stored unit, based on storage information of the data module. If the data module is not stored, **the reproduction controlling unit displays** a message informing the user of the fact and **reason that the data module is not stored**.

The primary reference cited against the pending claims is *Dillon* (US6351467). *Dillon* is directed to a multicast network system that utilizes a high speed link, such as a satellite link, to multicast web page content from the Internet to a plurality of receivers, such as personal

computers. The receivers store the web page content such that a user can access content in the at hard disk speed.

Although there are similarities between *Dillon* and the present invention, there are substantial differences as well, particularly in regard to non-stored (hereinafter "unavailable") data modules and what information is stored and displayed in regard to such unavailable data modules. More particularly, the present invention contemplates storing information on both stored data modules and unavailable data modules, with a portion of the information stored for unavailable data modules being the reason why they are unavailable. When a request for an unavailable data modules is made, the stored information relating to the unavailable module is retrieved, and the reason for its unavailability is displayed.

This differs from a caching scheme in which a request for unavailable data modules provides at most a notification that the modules are currently unavailable, but does not provide a reason for why a prior attempt to cache the modules failed. It is important to realize that an attempt to obtain non-cached data typically does not result in notification of the reason why the data is not cached. It may indirectly result in a notification that the data is not cached in that a user may be prompted whether an attempt should be made to obtain the data, but that is not equivalent to a message informing the user of the fact and reason that the data module is not stored.

Moreover, although an attempt to retrieve non-cached data may fail, and a user may be provided notice of and maybe even the reason for such failure, the reason provided is the reason why a current retrieval attempt failed, not a reason why prior storage/caching failed. Even if it were notice of why storage of data failed, that reason is displayed to a user, not stored by a module storing unit storing storage information for each of the plurality of data modules into a storage information storing unit.

Still further, a caching system generally does not retain state information on non-cached items. As such, a failure to cache does not result in storage of the storage state of the storage state of the non-cached items.

Claim 1, as amended herein, recites in part: "A data broadcast receiving apparatus for receiving broadcast data that includes a plurality of data modules ... comprising: module storing means ...; storage information storing means ...; storage controlling means for, for each of the plurality of data modules of the broadcast data, (i) attempting to store the data module into the module storing means, ..., and (iii) if the storage of the data module has failed, generating storage information showing a correspondence between the data module, a storage state of the data module and **a problem because of which the data module is not stored, and storing the generated storage information into the storage information storing means**; user indication accepting means ...; and reproducing means for ... when the target data module is not stored in the module storing means, **outputting** first information for informing the user that the target data module is not stored and second **information for informing the user of a problem because of which the target data module is not stored**.

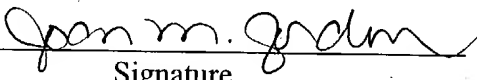
As claimed, there is an attempt to store that precedes reproduction. If the attempt to store fails, a reason for the failure is stored, not simply displayed. Subsequently, when reproduction of an unavailable module is attempted, the reason why the module could previously not be stored is displayed.

Dillon does not teach, suggest, or motivate the claimed data broadcast receiving apparatus. In particular, it does not teach, suggest, or motivate "if the storage of the data module has failed, generating storage information showing a correspondence between the data module, a storage state of the data module and a problem because of which the data module is not stored, and storing the generated storage information into the storage information storing means". Nor does it teach, suggest, or motivate "outputting ... information for informing the user of a problem because of which the target data module is not stored." As the cited references do not teach, suggest, or motivate the claimed receiving apparatus, claim 1 is patentable over the cited references, as are any claims dependent on claim 1. Moreover, claims 14, 21, and 22 contain similar recitations to those of claim 1 and thus are also patentable over the cited references.

It is believed that the case is now in condition for allowance, and an early notification of the same is requested. If the Examiner believes that a telephone interview will help further the prosecution of this case, he is respectfully requested to contact the undersigned attorney at the listed telephone number.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Mail Stop Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 12, 2004.

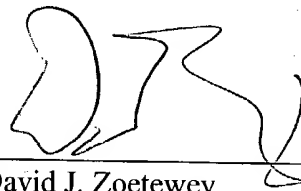
By: Joan M. Gordon


Signature

Dated: November 12, 2004

Very truly yours,

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